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8-28-

FORMS TO BE COMPLETED BY PRISONERS FILING A CIVIL RIGHTS  
COMPLAINT UNDER 42 U.S.C. § 1983 or 28 U.S.C. § 1331

COVER SHEET

THIS COVER SHEET CONTAINS IMPORTANT INFORMATION ABOUT FILING A COMPLAINT AND YOUR OBLIGATIONS IF YOU DO FILE A COMPLAINT. READ AND COMPLETE THE COVER SHEET BEFORE YOU PROCEED FURTHER.

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The cost for filing a civil rights complaint is \$150.00.

If you do not have sufficient funds to pay the full filing fee of \$150.00 you need permission to proceed *in forma pauperis*. However, the court will assess and, when funds exist, immediately collect an initial partial filing fee of 20 percent of the greater of:

- 1) the average monthly deposits to your prison account for the past six months; or
- 2) the average monthly balance in your prison account for the past six months.

Thereafter, the institution in which you are incarcerated will be required to make monthly payments of 20% of the preceding month's deposits credited to your account until the entire filing fee is paid.

**CAUTION: YOUR OBLIGATION TO PAY THE FULL FILING FEE WILL CONTINUE REGARDLESS OF THE OUTCOME OF YOUR CASE, EVEN IF YOUR COMPLAINT IS DISMISSED BEFORE THE DEFENDANTS ARE SERVED.**

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1. You shall file a complaint by completing and signing the attached complaint form and mailing it to the Clerk of Court along with the full filing fee of \$150.00. (In the event attachments are needed to complete the allegations in the complaint, no more than three (3) pages of attachments will be allowed.) If you submit the full filing fee along with the complaint, you **DO NOT** have to complete the rest of the forms in this packet. Check here if you are submitting the filing fee with the complaint form. \_\_\_\_\_

2. If you cannot afford to pay the fee, you may file a complaint under 28 U.S.C. § 1915 without paying the full filing fee at this time by completing the following: (1) Complaint Form; (2) Application To Proceed In Forma Pauperis; and (3) Authorization Form. You must properly complete, sign and submit all three standard forms or your complaint may be returned to you by the Clerk of Court. Check here if you are filing your complaint under 28 U.S.C. § 1915 without full prepayment of fees. ✓

**Please Note:** If your case is allowed to proceed and you are awarded compensatory damages against a correctional facility or an official or agent of a correctional facility, the damage award will first be used to satisfy any outstanding restitution orders pending. Before payment of any compensatory damages, reasonable attempts will be made to notify the victims of the crime for which you were convicted concerning payment of such damages. The restitution orders must be fully paid before any part of the award goes to you.

**DO NOT DETACH THE COVER SHEET FROM THE REST OF THE FORMS**

From The Desk of:  
Mr. John Richard Jee,  
#BQ-3219  
SCI-Camp Hill  
P.O. Box 200  
Camp Hill, PA. 17001-0200  
August 18, 2000

To: The Clerk,  
United States District Court  
228 Walnut Street  
P.O. Box 983  
Harrisburg, PA. 17108-0900

Re: Jack Clark,  
Civil No. 1:CV-00-1090

Dear Clerk:

On June 21, 2000, U.S. Magistrate Judge J. Andrew Smyser, of this Court, granted this Plaintiff leave to prepare in forma pauperis in the above-case and directed you to serve the plaintiff's complaint in accordance with F.R.Cv.P. 4. However, I have not received notification of the date you served Defendant Dr. Clark with a copy of my complaint, herein, as I am supposed to receive so I write & send this here letter to ask you to immediately respond back here to me & let me know in writing, as to whether you have yet served Defendant Clark with a copy of my complaint, herein, and if you have done, please state in writing the date you did.

Thank You Very Much,  
Sincerely,

John Richard Jee

Leid  
8/15/00  
HAC

From The Desk Of:  
MR. John Richard Jae,  
#BX 3219  
SCF-Camp Hill  
P.O. Box 200  
Camp Hill, PA. 17001-0200  
August 8, 2000

(I)  
8/15/00  
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To: The office of the Clerk,  
United States District Court  
228 Walnut Street  
P.O. Box 983  
Harrisburg, PA. 17108-0983

~~Dear Sir:~~

Dear Clerk:

Please immediately mail to me at the above-address  
enough 42 U.S.C. § 1983 Civil Rights Complaint Forms, Application  
For Leave To Proceed In Forma Pauperis Forms, Authorization Form  
U.S. Marshal #285 Process Form for Service, for three (3)  
different defendants in three (3) separate Civil Rights Actions  
& thank you very much.

Sincerely,

John Richard Jae

From The Desk of:

MR. John Richard Jae,

#BQ-3219

SCI - Camp Hill

P.O. Box 200

Camp Hill, PA 17001-0200

March 12/00

(J)  
3/13/00

RECEIVED  
HARRISBURG, PA

MAR 03 2000

MARY E. D'ANDREA, CLERK  
Per                     

TO: The Office of the Clerk,  
U.S. District Court  
258 Walnut Street  
P.O. Box 983  
Harrisburg, PA 17108-0983

Re: "Request For Forms"

Dear Clerk:

Please send to me at the above - address, three sets of Complete Sets of 1983 CIVIL RIGHTS Complaint forms, Application For Leave To Recede In Fama Parents & Authorization Forms and U.S. Marshal Service Forms, for three different Defendants in three different CIVIL ACTIONS. & thanks =

Sincerely,

John Richard Jae

C. Is the grievance process completed? Yes ☒ No ☐



4. That, on June 6, 2000, Plaintiff Jare was transferred to the SAV at SCI-Waymart.

5. That, on June 19, 2000, Plaintiff was temporarily returned back here to SCI-Camp Hill from the SAV at SCI-Waymart for a federal court hearing.

6. That, on June 22, 2000, because he still had not received his eyeglasses back yet, he again wrote a request and Inmate Request Form to Mr. Law and one to Defendant Wexford Health Services, Inc., here complaining about

7. on June 23, 2000, Plaintiff Jare was returned to the SAV at Waymart.

8. That, on July 18, 2000, Plaintiff Jare was permanently transferred back to Camp Hill from the SAV at Waymart.

9. That, on July 20, 2000, Plaintiff Jare was seen here at Sick Call by Chief P.A. Colleen Newfield and one of the medical staff. <sup>conditions he complained about</sup> was the blurred vision, headaches and eye pain that he was experiencing from not having his eyeglasses to wear.

10. That, on or about July 27, 2000, Plaintiff Jare was again here at Sick Call by P.A. Bodd (last name not known) and the medical problems he complained about was the blurred vision, headaches and eye pain that he was experiencing from not having his eye glasses to wear.

11. That, on or about August 2, 2000, Plaintiff Jare was again here at Sick Call by P.A. Bodd and one of the medical staff. he complained about was the blurred vision, headaches and that he was experiencing from not having his eyeglasses to wear.

12. That, on August 16, 2000, Plaintiff Jare was again seen at sick call by Chief P.A. Colleen Newfield and that one of the medical conditions/problems he complained about was the headaches, blurred vision and eye pain that he was experiencing due to not having his eye glasses to wear.

13. That, on August 16, 2000, Chief P.A. Newfield verbally informed Plaintiff Jare that she had investigated the matter his eyeglasses and was informed that Defendant Wexford Services, Inc., refused to send <sup>the</sup> Plaintiff's eye glasses to be repaired, ~~unless~~ unless the Plaintiff could pay for such repair as there was written documentation on Plaintiff's medical chart that during the past 1 1/2 years, Plaintiff has received seven pairs of replacement eyeglasses.

14. That, Plaintiff Jare has "not" received seven (7) pairs of Replacement Eyeglasses within the past 18 months/1 1/2 years only two pair and one of these two pair was ordered by the here due to a change in Plaintiff Jare's Eyeglass Prescription, thus such "is" a blatant and bold face "lie" and for such documented on his medical chart here, then some Nurse Medical Personnel deliberately & fraudulently placed/wrote information/"lie" on my prison medical chart - False, such is suspect and suspicious.

15. That, from July 22, 2000, through August 15, 2000, Jare also verbally complained on numerous occasions numerous different nurses here about the headaches, blurred vision and eye pain which he was experiencing not having his eye glasses to wear here.

16. That, this is not the first time that Defendant

Israel's eye glasses repaired because he had no money. the Prison account to pay for such repairs as the Defendant also did this last year too for over four months here Defendant Wexford Health ~~Services~~ Inc., is sued herein for refusing to have Plaintiff's Eye glasses repaired for four months back then last year here also.

17. That, the Prison and its Health, Care Contractor are obligated to provide and pay for Medical Care & Treatment for its prisoners, including, but not limited to eye care/eye

18. That, pursuant to DC-ADM. #820.17-A.2 the Pa. Dept. of corrections eye glasses are not supposed to result in a charge to the

19. That, Defendant Wexford Health, Services, Inc., either or should have known that their refusal to <sup>help</sup> repaired Plaintiff's Eye glasses would and has constituted a deliberate interference on their part to Plaintiff's serious medical needs, a willful and deliberate denial of medical care & treatment which has violated Plaintiff's Rights & the Law under the 14th Amendment of the United States Constitution.

## V. LEGAL CLAIMS

### First Cause of Action

20. That, the Acts, Conduct & Refusals of Defendant Wexford Health, Services, Inc., as is stated herein Paragraph 16 <sup>supra</sup>, violated Plaintiff's Rights & the Law under the Eighth Amendments of the Constitution of the United States.

### Second Cause of Action

21. That, the Acts, Conduct & Refusals of Defendant Wexford Health, Services, Inc., as is stated herein Paragraph 16's. 13 & 16, <sup>supra</sup>, violated the law Rights under Article 1, §§ 13 & 26 of the Pennsylvania State



## V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite cases or statutes.)

A Declaratory Judgment that the Acts, Actions & Refusals of Defendant  
1. Wexford Health Services, Inc., in denying me my eyeglasses for over:

4 months and refusing to buy me a new pair constituted a Violation of Plaintiff's  
to my sexual medical Needs & Violated the Eighth Amendment of the U.S. Constitution

2. Compensatory Damages in an amount to be determined at trial, herein  
case, to Plaintiff Jane from Defendant Wexford Health Services, Inc.

3. Exercise the Federal Jurisdiction over Plaintiff's State Constitutional Law  
herein.

4. Punitive Damages in an amount to be determined at trial, herein this  
to Plaintiff Jane from Defendant Wexford Health Services, Inc.

5. Plaintiff's Court Costs, Filing Fees, U.S. Marshal Service Fees and Plaintiff's  
Attorney's Fees & Costs (if any).

6. A Trial By Jury on All Issues & Claims, Herein.

7. Such Other And Further Relief As THIS Court Deems To Be Proper And Equitable  
Herein.

11 AND COMPLAINANT FURTHER SWEARS NAUGHT  
Signed this 17th day of AUGUST, 2000=

(s) John Richard Jue  
(Signature of Plaintiff and Pro Se Counsel)

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C.

17th AUGUST 2000= (s) John Richard Jue  
(Date) (Signature of Plaintiff and Pro Se Counsel)

## PROOF OF SERVICE

I certify that on 8-18-00 (date) I mailed a copy of this ~~motion~~ and all attachments via first class mail to the following parties at the addresses listed below:

MR. Michael L. Harvey,  
Senior Deputy Attorney General  
Office of the Attorney General of Pennsylvania  
15th Floor Strawberry Square  
Harrisburg, PA. 17101

Off. Ruben dal  
Off. Ragen  
SCJ-Camp Hill  
P.O. Box 8837  
Camp Hill, PA. 17001

## PROOF OF SERVICE FOR INSTITUTIONALIZED OR INCARCERATED LITIGANTS

In addition to the above proof of service all litigants who are currently institutionalized or incarcerated should include the following statement on all documents to be filed with this Court:

I certify that this document was given to prison officials on 8-18-00 (date) for forwarding to this court. I certify under penalty of perjury that the foregoing is true and correct. 28 U.S.C. §1746.

(s) John Richard Jae  
Signature / MR. JOHN RICHARD JAE,  
Plaintiff and Pro Se Counsel -

MR. John Richard Jae,  
#BA-2219  
SCJ-Camp Hill  
P.O. Box 200

Executed Date:  
18th AUGUST 2000:

At Camp Hill, Pennsylvania:

Camp Hill, PA. 17001-0200